



Department of Environmental Quality

To protect, conserve and enhance the quality of Wyoming's environment for the benefit of current and future generations.




Dave Freudenthal, Governor

John Corra, Director

Memo

To: Whom It May Concern

From: John Wagner, Water Quality Division Administrator 

Date: January 4, 2005

Subject: Updated Approach to CBM Watershed Based Permitting

This memo updates the approach to CBM Watershed Based Permitting as outlined in my June 14, 2004 "Approaches to CBM Watershed Based Permitting and Groundwater Monitoring Requirements for CBM Ponds" memo. Consistent with the June 14, 2004 memo, this CBM Watershed Based Permitting updated approach reflects new information obtained and experience gained over the last several months.

The initial approach indicated that the Water Quality Division (WQD) would set common expiration dates for existing CBM permits, within each Hydrologic Unit Code (HUC) 10 level drainage, and would require approved watershed management plans before re-issuing those permits. The initial approach also required submittal of a watershed management plan and acceptance of the plan by the WQD prior to issuance of any new CBM produced water NPDES permits in any HUC 10 level drainages that currently do not have CBM NPDES permits.

The WQD has evaluated the appropriateness and reasonableness of the initial approach and has made the following conclusions and revisions:

1. Development of the watershed based permitting process has moved at a pace slower than anticipated.
2. The current surface water discharge permitting approach is protective of the state's surface water quality standards.
3. Existing permit holders must submit timely applications to the WQD for permit renewal. Where a timely application has been received by the WQD, the WQD may elect to administratively extend the existing permit rather than drafting and reissuing another permit if it is reasonable for the WQD to expect that a watershed based permit or plan will be developed and available within 180 days of the original permit expiration date.



4. Because of factors 1 and 2 above the WQD has determined that it would be appropriate and reasonable to continue issuing WYPDES permits under existing permitting rules and policies while a watershed based permit or plan is being developed. Permittees will be notified that their permit will be modified at a later date, if necessary, to conform to the provisions of the final watershed based permit or plan.
5. Because of factors 1 and 2 above the WQD has determined that it would be appropriate and reasonable for the WQD to determine on a case by case basis the need for operators to submit a watershed management plan for WQD approval prior to issuance of any new CBM produced water WYPDES permits in any HUC 10 level drainages that currently do not have CBM WYPDES permits.

As stated previously these are Water Quality Division policies and procedures and are subject to modification at any time as new information is obtained and as implementation experience is gained.

Questions regarding the Watershed Based Permitting approach should be directed to Todd Parfitt, WYPDES Program Manager at 307-777-6709 or tparfi@state.wy.us.